

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: BAYER HEALTHCARE LLC AND
MERIAL LIMITED FLEA CONTROL
PRODUCTS MARKETING AND SALES
PRACTICES LITIGATION**

MDL No. 2319

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On February 7, 2012, the Panel transferred 5 civil action(s) to the United States District Court for the Northern District of Ohio for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* _F.Supp.2d_ (J.P.M.L. 2012). Since that time, no additional action(s) have been transferred to the Northern District of Ohio. With the consent of that court, all such actions have been assigned to the Honorable Dan A Polster.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Ohio and assigned to Judge Polster.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Ohio for the reasons stated in the order of February 7, 2012, and, with the consent of that court, assigned to the Honorable Dan A Polster.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Ohio. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Feb 22, 2012

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

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SCHEDULE CTO-1 – TAG-ALONG ACTIONS

| <u>DIST</u> | <u>DIV.</u> | <u>C.A.NO.</u> | <u>CASE CAPTION</u> |
|---------------------|--------------------|-----------------------|---|
| CALIFORNIA CENTRAL | | | |
| CAC | 8 | 11-01707 | Gary Richardson v. Bayer Healthcare LLC et al |
| CALIFORNIA NORTHERN | | | |
| CAN | 4 | 12-00289 | Boykin v. Merial Limited |
| FLORIDA SOUTHERN | | | |
| FLS | 1 | 11-24416 | Balloveras v. Bayer Healthcare LLC et al |